

JEAN (JOHN) PLEWNIAK AND ANNA PIOTROWSKA
PLEWNIAK

JULY 20, 1951.—Committed to the Committee of the Whole House and ordered
to be printed

Mr. GRAHAM, from the Committee on the Judiciary, submitted the
following

R E P O R T

[To accompany H. R. 2307]

The Committee on the Judiciary, to whom was referred the bill (H. R. 2307) for the relief of Jean (John) Plewniak and Anna Piotrowska Plewniak, having considered the same, report favorably thereon with amendment and recommend that the bill, as amended, do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

That for the purposes of the immigration and naturalization laws, Jean (John) Plewniak and Anna Piotrowska Plewniak shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon the payment of the required visa fees and head taxes. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the number of displaced persons who shall be granted the status of permanent residence pursuant to section 4 of the Displaced Persons Act, as amended (62 Stat. 1011; 64 Stat. 219; 50 U. S. C. App. 1953).

PURPOSE OF THE BILL

The purpose of this bill, as amended, is to grant the status of permanent residence in the United States to a married couple, natives and citizens of Poland. The bill also provides for the payment of the required visa fees and head taxes and for the appropriate quota deductions.

GENERAL INFORMATION

The pertinent facts in this case are contained in a letter dated October 25, 1950, from the Deputy Attorney General to the chairman of the Committee on the Judiciary, concerning a bill (H. R. 8017) then pending for the relief of the same persons. The said letter reads as follows:

DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, October 25, 1950.

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 8017) for the relief of Jean (John) Plewniak and Anna Piotrowska Plewniak, aliens.

The bill would provide that Jean (John) Plewniak and Anna Piotrowska Plewniak shall be considered to have been lawfully admitted to the United States for permanent residence on July 1, 1949, upon payment of the required head tax. It would also direct the Secretary of State to instruct the quota-control officer to deduct two numbers from the Polish quota for the first year that the Polish quota is available.

The files of the Immigration and Naturalization Service of this Department disclose that Jean and Anna Plewniak are husband and wife, and were born in Myslowice, Poland, on August 5, 1895, and in Szonionice, Poland on July 28, 1906, respectively. They last entered the United States at the port of New York on July 2, 1949, and were admitted as temporary visitors to September 30, 1949, under section 3 (2) of the Immigration Act of 1924. They subsequently received extensions of stay to April 22, 1950.

The record further indicates that Mr. Plewniak served with the German Army from 1915 to 1918, when he returned to Poland and served with the Polish Army from 1919 to 1921. The alien stated that he left Poland in 1937 and went to France, where he was a member of the Polish Resistance Group from 1941 until March 1945. At that time it appears that he joined the Polish armed forces under British command and served until March 5, 1948. He was employed as a salesman in Paris subsequent to his service with the Polish armed forces. The alien's wife stated that they were married in France on February 21, 1948, that she has two children by a former marriage, and that her first husband is now deceased.

On March 1, 1950, Mr. and Mrs. Plewniak accepted employment at the Embassy of Saudi-Arabia, Washington, D. C. as a butler and cook, respectively, for which they receive a joint salary of \$260 per month, plus room and board. The Department of State notified the Immigration and Naturalization Service on April 6, 1950, that a request had been received from the Embassy of Saudi-Arabia for a change in the nonimmigrant status of the aliens. Although they have been properly registered by the Embassy and are presently considered to be entitled to classification under section 3 (1) of the Immigration Act of 1924 as employees of an accredited official of a recognized foreign government, the change has not yet been recognized since the Immigration and Naturalization Service is awaiting advice relative to the validity of their travel documents.

The quota of Poland to which the aliens are chargeable is over-subscribed and immigration visas are not readily obtainable. The record fails to present any facts, however, which would justify granting them a preference over other aliens abroad who desire to obtain the benefits of residence in the United States, but who remain abroad and await their regular turns for the issuance of immigration visas. To enact this bill would encourage others to circumvent our immigration laws by entering the United States in the guise of visitors and then attempting to adjust their status to permanent residence, thereby obtaining an unjust preference over the alien who complies with the law.

Accordingly this Department is unable to recommend enactment of the measure.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

Mr. Rabaut, the author of this bill, appeared before a subcommittee of the Committee on the Judiciary and urged the enactment of his measure, testifying as follows:

On January 31, 1951, I introduced a private bill, H. R. 2307, for the relief of Jean (John) Plewniak and Anna Piotrowska Plewniak, and I respectfully request that hearings be scheduled at an early date.

Mr. and Mrs. Plewniak came to this country on an international passport from Paris, France, arriving here on July 1, 1949. They were both born in Poland, but because of Mr. Plewniak's military record it would not be safe for them to return to their native land. In 1919 he volunteered in the Polish Army and served until 1921 against the Russian invaders. He served again in the Polish Army in 1942 when Hitler invaded Poland and under the British command in France until 1948. He also served in the French underground against the Germans and has a very good military record.

I shall appreciate your favorable consideration of this bill.

Upon consideration of all the facts in this case, the committee is of the opinion that H. R. 2307, as amended, should be enacted and it accordingly recommends that the bill do pass.



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